

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 38-53 are pending in the application. Claims 38-53 are newly added; and Claims 1, 4-5, and 30-37 are canceled without prejudice or disclaimer by the present amendment. Support for the new claims can be found at least at Figs. 1, 2 and 4-13 of the originally filed specification. No new matter is presented.

In the Office Action, Claims 1, 4 and 37 were rejected under 35 U.S.C. § 112, second paragraph; Claim 37 was rejected under 35 U.S.C. § 102(e) as anticipated by Brandt et al. (U.S. Pat. 6,701,355, herein Brandt); Claim 1 was rejected under 35 U.S.C. § 103(a) as unpatentable over Brandt in view of Murphy et al. (U.S. Pat. 6,671,882, herein Murphy); Claim 35 was rejected under 35 U.S.C. § 103(a) as unpatentable over Brandt in view of Murphy and Crosby et al. (U.S. Patent No. 6,628,928, herein Crosby); Claims 4-5 and 30-34 were rejected under 35 U.S.C. § 103(a) as unpatentable over Brandt in view of Murphy and Suzuki (U.S. Pat. 5,857,149); and Claim 36 was rejected under 35 U.S.C. § 103(a) as unpatentable over Brandt in view of Murphy, Crosby and Suzuki.

As noted above, Claims 1, 4-5, and 30-37 are canceled by the present amendment, thereby rendering the above noted rejections moot. Nonetheless, Applicant respectfully submits that new independent Claims 38 and 46 recite novel features clearly not taught or rendered obvious by the applied references.

New independent Claim 38, for example, relates to a content distribution system that includes a content distributing apparatus (e.g., broadcasting apparatus 5) configured to distribute content, a receiving apparatus (e.g., receiver 10) configured to receive the distributed content; and a server (e.g., ID assigning server 3). The server acquires a name of a radio broadcast station and a title of content presented by the radio broadcast station (S1),

and generates a radio broadcast station ID and a content ID for identifying the content based on the acquired information (S2-S6), wherein the generated radio broadcast station ID and content ID are different from the acquired name of a radio broadcast station and title of content. The server then stores the radio broadcast station ID and the content ID by associating the radio broadcast station ID with the content ID (S7). The server then transmits (S23) the radio broadcast station ID and the content ID stored in the server to a second information processing apparatus (e.g., verification server 7) in response to a request from the second information processing apparatus through a network, and transmits the radio broadcast station ID and the content ID to a third information processing apparatus (e.g., tagging server 4) which generates a tag code (Fig. 5) based on the received information and broadcasts the tag code to a plurality of receiver apparatuses. The server also acquires a validity-condition concerning validity of presentation of the content from the radio broadcast station (S1 and Figs. 12-13, which show the validity condition data stored in the database 43 of the ID assigning server), stores the validity-condition by associating the validity-condition with the radio broadcast station ID and the content ID (S7), and transmits the validity-condition to the second information processing apparatus (e.g., verification server 7).

New independent Claim 38 further recites that the second information processing apparatus (e.g., verification server 7), that is different from the receiving apparatus, receives another content ID from the receiving apparatus and checks whether the another content ID from the receiving apparatus is same as the content ID stored in the storage means. Thus, as a result of the interaction between the ID assigning server and the verification server, as outlined in Claim 38, content received at the receiving apparatus (e.g., via the satellite link 21) can be verified at the verification server.

Turning to the applied references, Brandt describes an insertion and encoder system that monitors broadcasts from a first broadcasting system to determine the presence of

segments that can be substituted in a second broadcast. The system determines whether a first segment from the first broadcast is sold for the second broadcasting system, and if the first segment is not sold for the second broadcasting system, it is substituted for a second segment.<sup>1</sup>

Thus, Brandt describes a system that is used for filling unsold broadcast segments with advertising from an alternative source. Brandt, therefore, is not directed to performing authentication by comparing a content ID received at a receiver to a device that is not the receiver, as recited in Claim 38.

Moreover, Brandt fails to teach or suggest the various features recited in Claim 38 directed to “transmitting a radio broadcast station ID and the content ID stored in the server to a second information processing apparatus in response to a request from the second information processing apparatus... and transmitting the radio broadcast station ID and the content ID stored in the server to a third information processing apparatus which generates a tag code based on the received information and broadcasts the tag code to a plurality of receiver apparatuses... acquiring, at the server, a validity-condition concerning validity of presentation of the content from the radio broadcast station... storing, at the server, the validity-condition by associating the validity-condition with the radio broadcast station ID and the content ID... transmitting, from the server, the validity-condition to the second information processing apparatus, and the second information processing apparatus, that is different from the receiving apparatus, receives another content ID from the receiving apparatus and checks whether the another content ID from the receiving apparatus is same as the content ID stored in the server,” as required by new independent Claim 38.

In rejecting previously pending Claim 1, the Office Action concedes that Brandt fails to teach “generating a tag code before broadcast.” In an attempt to remedy this deficiency,

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<sup>1</sup> Brandt, Abstract.

the Office Action relies on Murphy and asserts that it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references to arrive at Applicant's claims.

Murphy, however, fails to disclose "transmitting the radio broadcast station ID and the content ID stored in the [server] to a third information processing apparatus which generates a tag code based on the received information and broadcasts the tag code to a plurality of receiver apparatuses," as required by new independent Claim 38.

More specifically, the Office Action cites col. 2, ll. 27-40 of Murphy, which describes converting items of Interactive Program Guide (IPG) data to data structures that are more universal to handle with popular platforms, operating systems, tools, utilities and other hardware and software processors and resources. Murphy uses C++ class objects and structures, which are placed into a Common Object Request Broker Architecture (CORBA) "wrapper." Murphy, therefore, describes coding IPG information in manner to be compatible with other devices, but fails to disclose "generat[ing] a tag code based on the received [radio broadcast station ID and content ID] information and broadcast[ing] the tag code to a plurality of receiver apparatuses," as required in independent Claim 38.

In rejecting Claims 4-5 and 30-34, the Office Action concedes that the combination of Brandt and Murphy fails to "teach a validity condition concerning validity of presentation content." In an attempt to remedy this deficiency, the Office Action relies on col. 3, l. 20 – col. 4, l. 58 of Suzuki. This cited portion of Suzuki, however, merely describes a method of distributing a coupon code to a user's card via a broadcast transmission, and fails to teach or suggest "acquiring a validity-condition concerning validity of presentation of the content from the radio broadcast station...storing, at the server, the validity-condition by associating the validity-condition with the radio broadcast station ID and the content ID... and

transmitting the validity-condition from the server to the second information processing apparatus,” as recited in new independent Claim 1.

Further, Crosby describes an interactive radio system for use with broadcast radio stations wherein feedback is provided to subscribers of the system via the internet.<sup>2</sup> In Crosby’s system, each mobile unit 122 includes a receiver 116 for receiving radio broadcasts, a GPS system 118 for determining the location of the vehicle, and a wireless transmitter 120 for transmitting interactive radio control signals to a network operation center. While listening to a broadcast, the subscriber selects program segments of interest by pressing an interactive radio control button on the mobile unit and, in response, the mobile unit transmits the carrier frequency of the radio broadcast, the date, the time, the geographical location of the vehicle, and a subscriber identification signal to the network operation center using the wireless transmitter. The network operation center then determines the identity of the selected program segment and accesses a database to provide information pertaining to the selected program segment which is then provided to the subscriber via the internet.

Crosby, however, fails to teach or suggest “transmitting a radio broadcast station ID and the content ID stored in the server to a second information processing apparatus in response to a request from the second information processing apparatus... and transmitting the radio broadcast station ID and the content ID stored in the server to a third information processing apparatus which generates a tag code based on the received information and broadcasts the tag code to a plurality of receiver apparatuses... acquiring, at the server, a validity-condition concerning validity of presentation of the content from the radio broadcast station... storing, at the server, the validity-condition by associating the validity-condition with the radio broadcast station ID and the content ID... transmitting, from the server, the validity-condition to the second information processing apparatus, and the second

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<sup>2</sup> Crosby, Abstract.

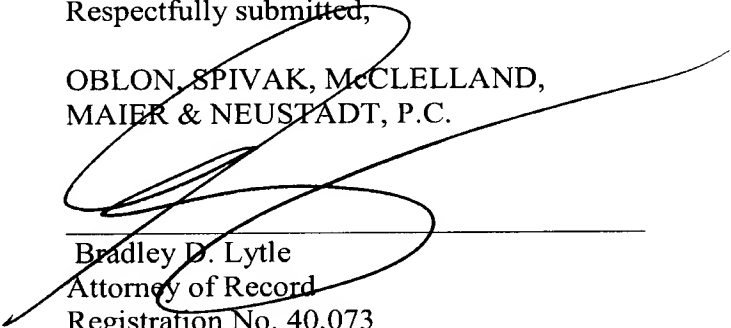
information processing apparatus, that is different from the receiving apparatus, receives another content ID from the receiving apparatus and checks whether the another content ID from the receiving apparatus is same as the content ID stored in the server," as required by new independent Claim 38.

Therefore, for at least the reasons outlined above, Applicant respectfully submits that new independent Claim 38 recites novel features clearly not taught or rendered obvious by Brandt, Murphy, Crosby and Suzuki. For substantially similar reasons, Applicant respectfully submits that new independent Claim 46 also patentably defines over the applied references.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 38-53 is patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

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